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VERDICT OF JURY IS FOR ROOSEVELT

Plaintiff, Barnes, Not Having Been Libeled, Is Entitled to No Damages.

COLONEL'S CHARGES TRUE

Attorney for Former President Declares It Is Victory for Good Government.

SYRACUSE, N. Y., May 22 .- Twelve

together, persuaded Juror man and a Republican, to join returning a verdict, which

in favor of an unconditional

themselves, the foreman, War-

Ten answered for the defendant: an stood up in his seat and in a deep

"For the defendant."

Juror No. 12 gave the same answer.

SPECTATORS WARNED AGAINST DEMONSTRATION

Before the jury hme in the spectaors in the crowded courtroom were warned that any demonstration would ent for the voice of the clerk and urors, the room was absolutely quiet ntil the name of Burns was called. When he announced that he, too favred a verdict for the former Presient, the courtroom buzzed like ; ynamo with voices.

Several persons in the courtroom tood up and waved leir hands, but here was no outburst of applause. After announcement of the verdict storneys for Barnes objected to its eccipt. The objection was overruled. Colonel Roosevelt thanked the jury, haking hands with each member.

"I am more moved by this verdict than it is possible for me to express! e said to them. "None of you, I asure you, will ever have cause to regret our action. I am especially gratified hat such a verdict came from a jury

omposed of men of every political faith."

JUROR BURNS CHEERED BY CROWD AT DOOR

A crowd at the courthouse door heered Juror Burns as he left the building. Colonel Roosevelt's attorney, John M. Bowers, issued a state-

"The victory that Mr. Roosevelt has won is a victory for good government. The issue put to the jury was whether machine government or government by he people should prevail.

"The verdict certainly assures us that the Anglo-Saxon system of determinquestions between litigants ightly lodged in the hands of a jury of twelve men. Moreover, it determines that jurors holding political lews opposed to those held by a party will not be swayed thereby in deternining the questions submitted to

The foreman of the jury, in a state

ent. said: "After the first ballot, we stood 11 to 1 in favor of the defendant. These figures were never changed, Mr. Burns refusing to change his vote until this

"Except for Mr. Burns, the jurors who voted for the plaintiff on the first allot did so, they said, because they did not want it to appear that they gave insufficient consideration to the

(Continued on Tenth Page.) \$3.80-Lynchburg and Return-\$3.80 Via Norfolk and Western Rwy.
Account Unveiling Monument to Senator
John W. Daniel.

Another Submarine Suffers Accident

Boat With Atlantic Fleet Flotilla Aground on East Side of No Man's Land.

NEWPORT, R. I., May 22.—Another mishap to the submarine flotilla playing the war game of the Atlantic Fleet reported to-night, when word reached Newport that a submarine was aground on the east side of No Man's The tender Fulton was standing by. The submarine struck during a dense fog in a heavy southwest wind

and rough sea The condition of the submarine was No Man's Land is a rocky chosen as a jury to determine islet eight miles south of Gay Head. critical position. An early report that could not be verified.

a broken crankshaft, while the K-1 is

A message stating that the stranded submarine was the K-6, and that her plight was due to a heavy fog, was received to-night from the Fulton.

mandant of the Narragansett Bay naval station, said the Fulton found the submarine ashore on a sandy shelf, probably undamaged. The naval tug Uncas was dispatched from here.

MRS. CARMAN SEEKS STAGE Acquitted of Murder Admits

[Special to The Times-Dispatch.] NEW YORK, May 22,—Mrs. Florence Pailey in the office of her husband, Dr. Edwin Carman, at Freeport, L. I., toshe admits that she plans to go upon

were consumed by her defense, and

f counsel, William this unjust accusation has cost my When my debts are paid, I will settle down and devote the rest of my life to my husband and my daughter. on whose little shoulders mmediately thereafter Henry Wolff, fell the heaviest burden of the case, Barnes's attorneys, entered and who, at the age of ten years, was

ADMIRAL VON ESSEN DEAD

Essen, commander of the Russian Bal- Colorado in his previous term of office, tic Fleet, has succumbed to pneumonia

Russo-Japanese war. He was in comtopol when she was sunk by the Japa- formation that I have is that the be-

Fleet under command of Admiral von lence during the strike.". Essen over the Germans. It was the ROCKEFELLER DECLINES habit of the German warships to approach the Russian line in the Baltic. stroyers with the German colors and so contrived to join the German fleet. At a given moment the Russian vessels opened fire, sinking one German cruiser and badly damaging another. They

made their escape. INDEPENDENTS ORGANIZE

Will Establish Long Distance Telephone Service Throughout South.

MEMPHIS, TENN., May 22.-The Southern States Independent Telephone Association was formally organized here to-day, with a membership representing, it is claimed, investments of more than \$28,000,000 in the South Plans were perfected for the establishment of a so-called independent distance telephone service throughout the Southern States and as far north as the Ohio River. This is to be accomplished by an arrangement with the Pestal Telegraph Company

had been completed. Albert Parlett, of Bristol, Va., was elected president of the new organization, which will succeed the Tristate Independent Telephone Association. organized several years ago.

which, it was announced, practically

WIDOW GETS IRON CROSS

Decorations Worn by Husband When Drowned in Submarine Replaced.

BERLIN, May 22 (via London, 3:46 A. M.) .-- Emperor William has adopted an unusual form in condoling with the widow of Captain Otto Weddingen, who commanded the submarine U-9 when it sank the British cruisers Abouktr, Cressy and Hogue in the North Sea last September, and who later lost his life while in command of the U-29.

The Emperor sent Frau Weddingen nessage from the general army headquarters, informing her that he had ordered an Iron Cross, first class, and the Order Pour le Merite handed her to replace the decorations her husband had when his submarine was lost.

[Special to The Times-Dispatch.] WASHINGTON, May 22.—The fact developed here to-day that Senators Martin and Swanson had recumended the appointment of J. B. Richardson as postmaster at Marion, Va., to succeed J. D. Buchanan, resigned. The Presi- this investigation will finally end. dent probably will give Mr. Richardson a recess appointment in a few days.

OF MINE STRIKERS

Rockefeller Answers Charges as If Roumania Decides to Fight for Summed Up by Federal Relations Commissions.

Concluded, and He Leaves for New York.

[Special to The Times-Dispatch.] what he had been able, in brief, and their sympathizers make these

could they get a hearing at the hands of the operators.

2. That the civil and judicial machinery for obtaining such justice as

3. That the operators, through their followed would be given on the part of

knew representatives of the union have Turkey. not met with the operators.

I understand it, were present at the meeting called by Governor Ammons the operators with the Governor, and discussed the situation. The Colorado ready to meet with their men or to her two trials, in the course of which with the representatives whom they the stage. She explains that all the

Admiral von Essen took part in the where the blame may be said to proper-United States on the way from the Far marshals was deliberately shot by tween widely separated forces. Greeks-when he undertook to stop them success achieved by the Russian Baltic I understand it, was the first act of vio-

Rockefeller that Ivy L. Lee, his publicity agent, had written the statements with machine guns issued under the name of Mr. Rocke-Mr. Rockefeller declined to make that admission, saying that he assumed full responsibility for everything that had ever been published as coming from him. Mr. Walsh replied that with that answer he would assume that Mr. Lee wrote them.

"These matters relate so closely to matters now in court that I must decline to discuss them," said Mr. Rockefeller.

"I see Mr. Lee smiling, and I thought you might say he wrote them," said Chairman Walsh.

"You, too, are smiling," retorted Mr. Rockefeller, "but I must decline to discuss the matter."

When asked if he was now "engaged in a warfare of any kind for an open shop in 1916," Mr. Rockefeller insisted that he was engaged in no warfare of any sort.

The chairman attempted to lead the witness into an admission that he was engaged in a national educational campaign, but Mr. Rockefeller replied that no such campaign had ever been un-

WITNESS EXPLAINS HIS

IDEA OF OPEN SHOP edge of the employment of spies in the structing the highway. A resolution mines of the company. Asked what his which was adopted provided that the notion of an "open shop" was, Mr. various links in the road must be com-Rockefeller replied:

"My idea of an open shop is where each man is employed on the basis of his own fitness. The question whether a man has been a union man does not enter so long as he is efficient. A man has a right to join any union he sees

"Would you invade that right and discharge him?" asked the chairman. "If I were in personal charge I would not," said Mr. Rockefeller.

Mr. Walsh said there was some other questions of a formal nature he would like to ask, but they would be referred to the bureau of research, which would communicate with him in writing.

"I would prefer to stay here and complete my testimony in public," replied Mr. Rockefeller. "Ever since this investigation has been going on these things have been before the public, and there should be a time when would prefer to remain on the stand (Continued on Tenth Page.)

STATE OF WAR EXISTS MAY JOIN IN WAR

Allies, Bulgaria Probably Will Take Similar Action.

AGAIN QUESTIONED BY WALSH GREECE ALSO INTERESTED

Oral Examination of Witness Is Little or No Change Either on Eastern or Western Fronts in Europe.

WASHINGTON, May 22 .- Responding declaration of war now is necessary to

1. That at no time after the strike Should that come, it is not expected the law affords was in the hands of the Balkans. Roumania, it is reported tooperators, and not available to the night, has received assurances from join the allies and help Russia by an lence, and that all the violence which not attack her, and that in fact Bulbility of taking similar action, although Mr. Rockefeller said so far as he her attack would be directed against

IN DEVELOPMENTS Conkling Carman, acquitted a fortnight November 26, where they met three of should decide to join the allies, would velopments, and her efforts if she to Australia, that in an attack on Aus-Rockefeller said that all points of 7,000 men, of whom 2,000 men were tion of the union, were covered by a operations against Smyrna, but from suggestion by the Governor to which Turkish and other sources it is learned the operators agreed, but which the the allies are almost as active there as

been brought to a standstill against the will of the people. It meant the elec- ments. Stubborn fighting, however, who, as I am in- continues, and it may be several days

RAIDING FORCE IN COURLAND Mention in the official report of cav-

Press dispatches last fall related a from tearing down a bridge. That, as have made headway at La Bassee, but Until then the situation as between interests; which has guaranteed sebeen repulsed, or that fighting contin- alleged violations of international law ues. Apparently the allies are straight. in connection with the British order Italy notorious services." TO MAKE ADMISSION ening their fronts to conform with po-Chairman Walsh endeavored at some sitions which they won in recent Being aware of this, Admiral von Essen length to obtain an admission from Mr. gagements, a task to which the Germans are offering stubborn resistance

ROUTE FOR DIXIE HIGHWAY Will Extend From Chicago in North to

Miami in South. CHATTANOOGA, TENN., May 22 .-

The Dixle Highway, from the Lakes to the Gulf of Mexico, was given definite form here to-day, when the commissioners, two each appointed by days' session.

The commission designated a west and and Miami, but a plan was adopted looking toward connecting up north portion of the two lines with a shores of Lake Michigan, and connecting the south portion with a road from Miami along the west coast of Florida, thus making a continuing loop of the

The Dixie Highway Association adopted a charter, perfected a permanent organization of twenty-one directors, comprising the fourteen commis-Mr. Rockefeller denied any knowl- porators, and adopted plans for conpleted within a year from to-day, and it was proposed that the highway be dedicated next November, probably on Thanksgiving Day.

CHILD BORN TO MRS. FLOOD

Mother and Daughter Doing Well in Washington Rospital.

[Special to The Times-Dispatch.] WASHINGTON, May 22 .- The stork visited Representative and Mrs. Hal D. Flood, of Virginia, late to-day and left a daughter. Mrs. Flood, accompanied by the Congressman, came to Washington yesterday, and the baby was born at Garfield Hospital, this city. Reports this evening are that the mother and child are doing well. The marriage of Mr. and Mrs. Flood a year ago last April was one of the brilliant social events of the past season.

What does "Electorium" mean? See page

Commander-in-Chief of Italian Armies



GENERAL LUIGI CANEVA Will personally direct Italy's campaign Against Austria.

GERMAN REPLY EXPECTED | AUSTRIA "SURPRISED" LATTER PART OF WEEK AT ITALY'S DECISION

Except Generality That It Will Be Friendly in Tone.

Underestimate Seriousness of Situation in Event of Unfavorable Answer From Berlin.

WASHINGTON, May 22 .- Such adrices as have been received from Amback when it was reaching the endays, it became known to-night, have virons of Milau. All through this given no intimation as to the char-

in council will not be developed by representations on the general subject of the commercial embargo imposed by the allies' intercourse with Germany

will be made. here to underestimate the seriousness of the situation which may result in Berlin. On this point in particular it s known the Washington government will insist on complete disavowal of intent to destroy American lives, and with full reparation for damage done. the Governors of seven States, adopted If the German reply should cover this rangements for the future safeguarding of American citizens can then be terminus and Miami as the southern, arranged through further diplomatic correspondence, for it is said the German reply will suggest arrangements of thoroughfare between Indianapolis whereby passenger and contraband and Miami, but a plan was adopted traffic on belligerent merchantmen the might be separated.

ITALIAN CRISIS ABSORBS

INTEREST IN BERLIN BERLIN, May 22 (via London) .- The Italian crisis absorbs the attention of official circles here. Little is heard of the Lusitania case, and it is stated that the German answer to America's note cannot be expected before next Tuesday or Wednesday.

It would be no surprise if the German reply, in addition to defense of the German position regarding submarine warfare, and particularly its case for the sinking of the Lusitania, with the alleged shipment of ammunition, should contain proposals which might serve as a basis for further negotiations with the United

previous communication for a cessa tion of submarine and mine warfare, in return for an abandonment by Great Britain of her starving out policy, will be pointed out that Germany's accept ance in principle of the suggestion still is in force.

It is not at all improbable that Germany also will advance an alternative suggestion that the United States permit its nationals to travel on ships belonging to belligerents only if vessels are certified by the United States as having no munitions of war aboard, and that such certified ships would not be subject to torpedoing without notice.

Reports circulated in the United States recently that Germany had proposed arbitration are vasuthoritatively

No Intimation as to Its Character, In Arbitrary Manner, Rome Ends Alliance Existing to Common Ad-

vantage of Both Countries. MAY MAKE NEW SUGGESTIONS DECLINES THE RESPONSIBILITY

Washington Officials Not Disposed to Note From Minister of Foreign Affairs Refers to Abrupt Manner in Which Treaty Is Broken and Reviews Governments' Negotiations.

VIENNA, May 22 (via London).-The answered for the defendant; then the clerk hesitated, called the name of Edward Burns and waited.

Two months later he crossed the the strikers, when one of the camp which ebbs and flows, continues he.

The answered for the defendant; that I have is that the striker and as far south as necter of the German reply to the recent the East Prussian frontier, fighting, American note, beyond the generality surprise at Italy's decision to put an which ebbs and flows, continues he.

The German reply to the recent the German reply to the German reply to the recent the German reply to the The German answer is expected to treaty, which was based on the community of our most important political the Germans declare all attacks have the United States and Great Britain's curity and peace to our states for so

> The note says Austria's astonishment is more than justified, as Italy re- in the Italian provinces bordering on ome officials here. After the German note is more than justified, as Italy relief in the Italian provinces bordering on is received, it is practically certain peatedly announced its wish to main- the Austro-Hungarian frontier, and in tain and strengthen the bonds of al- all the islands and coast towns of Italy liance between the two countries. In the Adriatic Sea, Baron Burian von Rajecz repeated that the object of the ultimatum to Serbia night in the following regal decree; There is no tendency among officials was purely to protect the monarchy against the revolutionary machinations clared in the provinces of Sondrio, of Serbia, and that this aim could in

no way affect Italy's interests. pean character, Italy proclaimed her munes on the Adriatic coast, as well as neutrality without "throwing out the in all the fortresses which may be deslightest suggestion that this war, clared in a state of resistance. This which was provoked by Russia, and proclamation is made by the order of prepared for long beforehand, could the Ministers of War and Marine." of a nature to deprive the triple alliance of its raison d'etre, and no communication which could justify the belief that it regarded the proceeding of Austria-Hungary as a flagrant violation, both in letter and in spirit, of the alliance and treaty."

VIEW OF PTALIAN

GOVERNMENT ADMITTED The Cabinets of Vienna and Berlin, even though deploring Italy's resolution to remain neutral, a resolution which, in "our view, was hardly compatible with the spirit of the treaty, nevertheless loyally admitted the view of the Italian government, and an exchange of views which then took place tion of a decree of mobilization of the established unaltered the maintenance of the triple alliance."

Under Article VII. of the treaty, Halv presented claims which aimed at securing certain compensations in the event of Austria-Hungary obtaining advan- wild outburst of enthusiasm through tages from the war, territorial or otherwise, in the Balkan Peninsula.

Austria-Hungary accepted this standsubmit the question to examination, at from an alliance which always has been the same time pointing out that, so burdensome, long as the eventual advantages, according to Austria-Hungary, remained gret or hesitancy. The soldiers called unknown, it would be difficult to fix are eager to leave for the front.

such compensation. Baron Burian von Raisez contended shown in the declaration made by the Marquis di San Giulanio, dated August 25 last year, in which the then Italian Foreign Minister said that "it would be premature to speak of compensations.

Nevertheless, Baron Burian continues, Austria-Hungary always has been ready to begin conversations on the able subject, and when Italy made her dethis as a basis for negotiations, although, in his opinion, Article VII. of the treaty never referred to the terri- other country. tory of the treaty-bound parties, but

(Continued on Tenth Page.)

CARRY COUNTRY INTO HOSTILITIES

Royal Decree Is Customary Precautionary Action Taken in Grave Crisis.

KING SIGNS ORDER FOR MOBILIZATION

Several Clashes Between Aus-

trian Outposts and Italian

Troops on Frontier. SOLDIERS EAGER TO SERVE

Only Sentiment Is One of Heartfelt Joy That Die Apparently Is Cast.

Italian Ministry Sets Face for War

ADVICES from Rome say the min-istry has set its face for war, and the general mobilization of the probably now is under way.

The Ministers of War and Marine according to a Rome dispatch from state of war in the provinces along the Austrian frontier and the islands

war, it is the customary precautionary action taken in a grave carry the country into hostilities. Thousands of Austrian troops are facing Italian soldiers along the frontier. There have been clashes Austrian regiment at Roverete, in Italian reside in that town, and the Austrian authorities are arresting them. Many Italian residents in Austrian territory are being sent into Hungary.

The Italian consul has been ordered by his government to leave Munich. Austria has asked the United States to take over the charge of Austrian subjects in Italy. It is understood Switzerland will care for the Germans.

So far as is known, neither the Rome nor the Italian minister at Berlin has left his post, but preparations for a speedy departure have been completed.

[Special Cable to The Times-Dispatch.] ROME, May 22 .- A royal decree was many years, and which has rendered issued to-night declaring that from tomorrow (Sunday) a state of war exists The declaration was promulgated to-

"From May 23 a state of war is de-Brescia, Udine, Venetia, Treviso, Padua, Mantua When the conflict assumed a Euro- and Ferrara, and the islands and com-

> A dispatch from Vienna says: "The Italian ambassador, the Duke of Avarna, leaves to-day for Rome. Austria has asked the United States to take over the protection of Austrian subjects in Italy. The American government has transmitted instructions to its ambassadors in Austria and Italy."

> The royal decree was accepted by the populace as a declaration of war. followed, in the order named, the signing by the King of the bill conferring extraordinary powers on the government during the war, issuance of an imperial manifesto calling all reservists to the colors, and finally, publicaarmy and navy.

OUTBURST OF ENTHUSIASM

THROUGHOUT ENTIRE CITY The notices of general mobilization and the declaration of war caused a the entire city. Crowds thronged the streets twenty deep. The only sentiment was one of deep, heartfelt joy that point, and declared herself ready to at last the die is cast, and Italy is freed

Several clashes between Austrian that Italy shared this view, as was frontier and Italian Alpine troops, who drove them back up the passes, are reperted from various points along the border. The Italian forces did not pursue the Austrians beyond the boundary line. It is not known whether any

bloodshed occurred. The whole country has responded as one man. The morale is unsurpass-The organization was so perfect mands, Austria-Hungary accepted even carefully made that ordinary railway service remains undisturbed, something which has been accomplished in no

> The first hint that war was declared was given by the bells of Rome's an-

Richardson Recommended.

DENIES ASSERTIONS | BALKAN STATES